

NOTICE OF EXEMPTION

To: Office of Planning and Research
Post Office Box 3044
Sacramento, California 95812

From: California Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, California 94534

Project Title: Phillips 66 Pipeline Company Line 200 Repair Project, Alameda County, Incidental Take Permit (ITP) 2081-2017-017-03 Major Amendment 1

Specific Project Location: The Phillips 66 Pipeline Repair Project ITP Major Amendment 1 (Project) includes eight (8) additional repair sites located north of the Interstate 580 and Interstate 205 split along Line 200 pipeline in eastern Alameda County.

Project Location - City and County: Unincorporated Alameda County.

Description of Project: Four of the 2021 repair site locations will be confined to a 30-foot-wide corridor and 50-foot length along the Line 200 pipeline. Three repairs will be combined into one and confined within a single 30-foot-wide corridor and 90-foot length. One repair will be confined to a 50-foot-wide corridor with 180-foot length. The total area of semi-permanent impacts for the Amendment will be approximately 0.086 acre and temporary impacts will be approximately 0.559 acre. All construction equipment will be limited to the existing roads and the area within the fencelines. CDFW has issued the ITP Amendment in the present case as a lead agency for purposes of CEQA. (Id., § 21067).

Name of Public Agency Approving Project: California Department of Fish and Wildlife

Name of Applicant, Person, or Agency Carrying Out Project: Phillips 66 Pipeline Company LLC

Applicant Address: 3900 Kilroy Airport Way, Suite 210, Long Beach, CA 90806

Exempt Status: Project Statutory Exemption; Pub Resources Code, §21080.23; Cal. Code Regs, tit. 14, §15284.

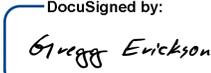
Reasons Why Project is Exempt: CDFW determined in that capacity that the Project and issuance of this ITP constitutes a Statutory Exemption as defined by CEQA. (Id., § 21080.23; Cal. Code Regs., tit. 14, § 15284). Issuance of the ITP, in this respect, is statutorily exempt from further environmental review under CEQA because under Cal. Code Regs., tit. 14, § 15284 CEQA does not apply to any project consisting of the inspection, maintenance, repair, restoration, reconditioning, relocation, replacement, or removal of an existing hazardous or volatile liquid pipeline or any valve, flange, meter, or other piece of equipment that is directly attached to the pipeline if the pipeline diameter will not be increased and the Project is not located within the boundaries of an oil refinery and it meets the following criteria:

1. The affected section of pipeline is less than eight miles in length and actual construction and excavation activities are not undertaken over a length of more

than one-half mile at a time.

2. The affected section of pipeline is not less than eight miles distance from any section of pipeline that had been subject to this exemption in the previous 12 months.
3. The project is not solely for the purpose of excavating soil that is contaminated by hazardous materials.
4. To the extent not otherwise required by law, the person undertaking the project has, in advance of undertaking the project, prepared a plan that will result in notification of the appropriate agencies so that they may take action, if necessary, to provide for the emergency evacuation of members of the public who may be located in close proximity to the project, and those agencies, including but not limited to the local fire department, police, sheriff, and California Highway Patrol as appropriate, have reviewed and agreed to that plan.
5. Project activities take place within an existing right-of-way and that right-of-way will be restored to its pre-project condition upon completion of the project.
6. The project applicant will comply with all conditions otherwise authorized by law, imposed by the city or county as part of any local agency permit process, and to comply with the Keene-Nejedly California Wetlands Preservation Act (Public Resources Code Section 5810, et seq.), the California Endangered Species Act (Fish and Game Code Section 2050, et seq.), other applicable state laws, and all applicable federal laws.

Lead Agency Contact Person: Marcia Grefsrud, Environmental Scientist, (707) 644-2812

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Signature: _____ **Date:** 6/21/2021
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Name: Gregg Erickson, Regional Manager

[x] Signed by Lead Agency **Date received for filing at OPR:** _____

[] Signed by Applicant